

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Wassim Abedrabbo	Team: Squad #12	CCRB Case #: 201508703	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Monday, 10/12/2015 9:00 PM	Location of Incident: Hegeman Avenue and Ashford Street; 75th Precinct stationhouse	Precinct: 75	18 Mo. SOL 4/12/2017	EO SOL 4/12/2017	
Date/Time CV Reported Mon, 10/12/2015 11:22 PM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Mon, 10/12/2015 11:22 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Alex Rivera	21286	955379	PBBN
2. SGT Gregory Long	02634	938872	PBBN

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Mohamed Eldiasty	3051	954765	PBBN

Officer(s)	Allegation	Investigator Recommendation
A.POM Alex Rivera	Discourtesy: At Hegeman Avenue and Ashford Street in Brooklyn, PO Alex Rivera acted discourteously toward § 87(2)(b)	
B.POM Alex Rivera	Abuse: At Hegeman Avenue and Ashford Street in Brooklyn, PO Alex Rivera refused to provide his name and shield number to § 87(2)(b)	
C.SGT Gregory Long	Abuse: At the 75th Precinct stationhouse, Sgt. Gregory Long did not process § 87(2)(b)'s complaint regarding an officer.	
D.SGT Gregory Long	Abuse: At the 75th Precinct stationhouse, Sgt. Gregory Long refused to provide his name to § 87(2)(b)	

Case Summary

On October 12, 2015, § 87(2)(b) filed a complaint via the CCRB call processing system. On October 12, 2015 at approximately 9:00 p.m., § 87(2)(b)'s vehicle was pulled over by PO Alex Rivera and PO Mohammed Eldiasty of Patrol Borough Brooklyn North. PO Rivera issued § 87(2)(b) a summons for § 87(2)(b). § 87(2)(b) asked PO Rivera for his name and shield number and PO Rivera allegedly responded "I'll give you my damn badge number," but he did not provide it (**Allegation A**). PO Rivera then allegedly threw the summons into § 87(2)(b)'s vehicle (**Allegation B**). No arrests resulted from this incident.

§ 87(2)(b) drove to the 75th Precinct stationhouse to file a complaint against PO Rivera. She interacted with Sgt. Gregory Long, from Patrol Borough Brooklyn North, who showed § 87(2)(b) to a bulletin board that explained how to file a complaint, but he did not process her civilian complaint (**Allegation C**). Sgt. Long also allegedly refused to provide his name to § 87(2)(b) upon her request (**Allegation D**).

There is no video evidence in this case.

On November 24th, 2015, this case was reassigned from Supervising Investigator Nicholas Carayannis to Investigator Wassim Abedrabbo.

Mediation, Civil and Criminal Histories

- § 87(2)(b) rejected mediation.
- As of January 4, 2016 the Notice of Claim query with the NYC Comptroller's office was still pending (Board Review 01).
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Civilian and Officer CCRB Histories

- This is the first CCRB complaint filed by § 87(2)(b)
- This is the first CCRB complaint filed against PO Alex Rivera, who has been a member of service for two years.
- This is the fourth CCRB complaint filed against Sgt. Gregory Long, who has a total of eight allegations in his CCRB history and who has been a member of service for 10 years. Sgt. Long does not have any substantiated allegations (see officer history)

Findings and Recommendations

Allegations not pleaded

§ 87(2)(g)

Allegation A – Discourtesy: At Hegeman Avenue and Ashford Street in Brooklyn, PO Alex Rivera acted discourteously toward § 87(2)(b)

Allegation B –Abuse of Authority: At Hegeman Avenue and Ashford Street in Brooklyn, PO Alex Rivera refused to provide his name and shield number to § 87(2)(b)

It is undisputed that § 87(2)(b)'s vehicle was pulled over by PO Rivera and PO Eldiasty. It is undisputed that PO Rivera approached § 87(2)(b)'s vehicle on the driver's side. It is also

undisputed that § 87(2)(b) called her mother, § 87(2)(b) who is a NYPD officer, a member of the NYPD, during the incident and that § 87(2)(b) spoke to PO Rivera on the telephone. Finally, it is undisputed that PO Rivera issued § 87(2)(b) a summons for § 87(2)(b).

§ 87(2)(b) alleged that PO Rivera folded the summons and threw it onto her lap as she sat in the vehicle. § 87(2)(b) also alleged that as PO Rivera was walking away she asked him for his shield number, PO Rivera responded “I’ll give you my damn badge number,” but failed to do so (Board Review 03).

§ 87(2)(b) stated that she was not able to hear the interaction between § 87(2)(b) and PO Rivera through the phone. (Board Review 04)

PO Rivera denied throwing the summons into the car. He said that § 87(2)(b) took the summons from his hand. PO Rivera denied hearing § 87(2)(b) request his shield number. PO Rivera did not say “I’ll give you my damn badge number.” He noted that he would not use the term “badge” (Board Review 05).

PO Eldiasty said he heard § 87(2)(b) request PO Rivera’s shield number and heard PO Rivera provide his shield number to § 87(2)(b). PO Eldiasty further said he saw PO Rivera hand § 87(2)(b) the summons (Board Review 06).

§ 87(2)(g)

Allegation C – At the 75th Precinct stationhouse, Sgt. Gregory Long did not process § 87(2)(b)’s complaint regarding an officer.

It is undisputed that § 87(2)(b) went to the 75th Precinct stationhouse to file a complaint against PO Rivera and inquired about ways to file a complaint against NYPD officers. It is undisputed that Sgt. Long directed § 87(2)(b) to a bulletin board that contained information on how to file a complaint. It is also undisputed that Sgt. Long did not process § 87(2)(b)’s complaint on the Civilian Complaint Report Form at the stationhouse.

§ 87(2)(b) stated that after waiting for approximately one hour, Sgt. Long informed her that he did not have forms for her to file a complaint at the stationhouse. Sgt. Long instructed § 87(2)(b) that she would have to call a number that was listed on the bulletin board to file her complaint.

Sgt. Long acknowledged that the bulletin board he directed § 87(2)(b) to stated that a complaint could be filed at the stationhouse. Sgt. Long stated that § 87(2)(b) did not make any further requests about filing a complaint after he directed her to the bulletin board (Board Review 07).

Patrol Guide Procedure 207-31 (Board Review 08) It is the responsibility of stationhouse personnel to record and initiate investigations of complaints from civilians alleging misconduct by Members of Service. Officers are to interview the civilian and have the civilian fill out a Civilian Complaint Report.

§ 87(2)(g)

§ 87(2)(g)

Allegation D –Abuse of Authority: At the 75th Precinct stationhouse, Sgt. Gregory Long refused to provide his name to § 87(2)(b)

§ 87(2)(b) said she was standing about three feet away from Sgt. Long when she requested his name. § 87(2)(b) alleged that Sgt. Long did not respond after she requested this information.

Sgt. Long denied hearing § 87(2)(b) request his name. He said that at no point did § 87(2)(b) ask him for his name or make any request of that sort.

§ 87(2)(g)

Squad 12

Investigator: _____
Signature Print Date

Pod Leader: _____
Title/Signature Print Date

Attorney: _____
Title/Signature Print Date